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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,160	01/30/2002	Takeshi Miyakawa	218222US0PCT	1444
22850	7590	10/04/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			CHEVALIER, ALICIA ANN	
			ART UNIT	PAPER NUMBER

1772

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,160

Applicant(s)

MIYAKAWA ET AL.

Examiner

Alicia Chevalier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/27/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

RESPONSE TO AMENDMENT

1. Claims 10-15 are pending in the application, claims 1-9 have been cancelled.

REJECTIONS

2. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

Claim Rejections - 35 USC § 103

3. Claims 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schenz et al. (U.S. Patent No. 5,361,901) in view of Miyamoto (JP Patent No. 08258888).

Schenz discloses an embossed carrier tape (*title*) comprising a sheet having at least one embossed pocket (*figure 2 and col. 6, line 5*) comprising at least one thermoplastic resin other than a polyphenylene ether resin (*col. 5, lines 62-68*), wherein at least on surface of the sheet has a surface resistance of at most $10^{12} \Omega/+$ (*col. 3, lines 29-33*). The carrier tape can further be a single-layer or multi-layer.

Schenz fails to disclose that the sheet has a tear strength of at least 105 N/mm as defined in Japanese Industrial Standard K-7128-3.

Miyamoto discloses a cover tape for an embossed carrier tape (*title*) which comprises a sheet comprising a thermoplastic resin, since the reference discloses that the sheet is made of an ethylene-alpha olefin copolymer (*machine translation page 2, line 8*). The sheet has a base layer and a surface layer having a surface resistance of at most $10^{12} \Omega/+$ on both sides of the base

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layer, since the reference discloses that the tape comprises a biaxially oriented polyester layer, i.e. a base layer, and an adhesive combined with a conductive powder, i.e. an electrically conductive layer (*machine translation page 2, lines 5-15 and figure 2*) and that the surface-electrical-resistance values of a glue line are below $10^{13} \Omega/\text{+}$ (*machine translation page 2, lines 15-16*) and preferably below $10^{10} \Omega/\text{+}$ (*machine translation page 3, lines 13-14*). The sheet also having a tear strength of at least 105 N/mm as defined the Japanese Industrial Standard K-7128-3, since the reference discloses that the tape has a tear strength of 100 kg/cm or more, which is equivalent to 98 N/mm or more (*machine translation page 2, line 6*).

Miyamoto also discloses the sheet has a base layer and an electrically conductive layer, since the reference discloses that the tape comprises a biaxially oriented polyester layer, i.e. a base layer, and an adhesive combined with a conductive powder, i.e. an electrically conductive layer (*machine translation page 2, lines 5-15 and figure 2*).

Schenz and Miyamoto are analogous because they both disclose materials for use with electronic components.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have Schenz have a tear strength of at least 105 N/mm as defined the Japanese Industrial Standard K-7128-3 as taught by Miyamoto in order to increase the tear resistance of Schenz carrier.

It also would have been obvious to one of ordinary skill in the art at the time of the invention to have include an electrically conductive surface layer in Schenz as taught by Miyamoto in order to help dissipate static shocks.

ANSWERS TO APPLICANT'S ARGUMENTS

4. Applicant's arguments in the response filed July 11, 2005 regarding the previous rejection of record have been considered but are unpersuasive.

Applicant argues that the cited prior art fails to suggest the limitation of independent claim 10 and 15 of an "embossed carrier tape comprising a sheet having at least one embossed pocket, wherein the sheet .. has a tear strength of at least 105 N/mm ...". Applicant further sites that Miyamoto's layer with the claimed tear strength is not the embossed carrier tape.

The examiner recognizes that Miyamoto's layer with the claimed tear strength is not embossed however it is noted that both inventions are related to carrier tapes and it has been held that a mere reversal of essential working parts of a device involves only routine skill in the art. In other words one of ordinary skill in the art would recognize the advantages of improved tear strength in any of the layers, since it was known in the art to increase tear strength.

Applicant's declaration filed May 27, 2005 is deemed to be unpersuasive because it is not commensurate in scope with the instant claims. Specially, the examples used in the declaration are made of specific polymers and have specific sheet thickness. None of which is claimed.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

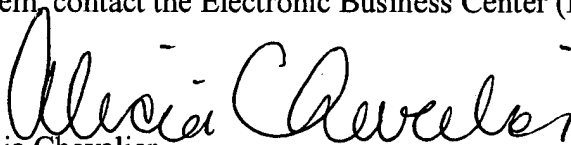
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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alicia Chevalier
Primary Examiner
9/30/05